

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN PRESCOD, et. al.	:	CIVIL ACTION
	:	
	:	
	:	
vs.	:	NO. 08-3778
	:	
BUCKS COUNTY, et. al.	:	
	:	
	:	
	:	

ORDER

AND NOW, this _____ day of _____, 2009, upon consideration of Motion for Attorney's Fees filed by Deena Dean, and in consideration of the parties' response thereto, if any, it is hereby ORDERED that witness Deena Dean's Motion for Attorney's Fees is GRANTED and Defendant shall pay the sum of \$5,198.90 in attorneys costs and fees, plus interest.

BY THE COURT:

J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN PRESCOD, et. al.	:	CIVIL ACTION
	:	
	:	
	:	
vs.	:	NO. 08-3778
	:	
BUCKS COUNTY, et. al.	:	
	:	
	:	
	:	

**MOTION FOR ATTORNEY'S FEES
FOR REPRESENTATION OF DEENA DEAN**

Deena Dean (hereinafter "Movant"), by and through her attorney, Curtin & Heefner, LLP, hereby respectfully submits this Motion for Attorney's Fees, and in support avers as follows:

1. Movant Deena Dean was, at all relevant times, the Director of the Elections Department.
2. Pursuant to an Order issued pursuant to Plaintiff's Emergency Motion for Protective Order, dated September 23, 2008, no employee, agent, or official of Bucks County was permitted to contact Movant prior to an evidentiary hearing scheduled for September 29, 2008.
3. As Defendant's counsel was prohibited from contacting Movant, Movant sought separate counsel from David J. Truelove, of Curtin & Heefner, LLP.
4. David J. Truelove provided competent legal representation for Movant.
5. By letter dated February 11, 2009, Movant's counsel sought compensation from the Bucks County Solicitor's Office for the legal services rendered, in

the amount of \$3,132.80. See letter dated February 11, 2009, a true and correct copy of which is attached as Exhibit “A” and incorporated by reference.

6. By letter dated March 20, 2009, Movant again sought compensation from the Bucks County Solicitor’s office. See, letter dated March 20, 2009, a true and correct copy of which is attached as Exhibit “B” and incorporated by reference.
7. By letter dated April 8, 2009, the Bucks County Solicitor’s office made its only reply, stating merely, “Based on my information, payment for legal services in this situation is neither approved, ordered nor authorized.” See, letter dated April 8, 2009, a true and correct copy of which is attached as Exhibit “C” and incorporated by reference.
8. By letter dated April 24, 2009, Movant’s counsel replied, again seeking compensation, and explaining that (a) Movant was required to testify in her capacity as Director of the Board of Elections; (b) the protective Order was signed as September 24, 2008, and Movant first contacted counsel on Friday September 26, 2008, at which time it was unrealistic for county officials to have any realistic input regarding representation. See, letter dated April 24, 2009, a true and correct copy of which is attached as Exhibit “D” and incorporated by reference.
9. Movant’s counsel received no response to the April 24, 2009 letter.
10. Pursuant to 4 Pa. Code § 39.2:

When a Commonwealth official or employe is sued in his official or individual capacity for alleged negligence or

other unintentional misconduct occurring while in the scope of employment, the Commonwealth will provide a defense in all cases. If an insurance policy purchased by the Commonwealth affords coverage, the insurance company will undertake the defense with an attorney of its choosing at its expense. If there is no insurance coverage, the Commonwealth will provide an attorney to defend the official or employee. The Commonwealth will indemnify the defendant for the expense of a judgment against him in this case. The defendant may engage his own attorney but any attorneys fees will not be reimbursed by the Commonwealth and indemnification will be in the sole discretion of the General Counsel.

11. Pursuant to 4 Pa. Code § 39.3:

(a) Good faith in exercise of authority. Regardless of the allegations made against the defendant, if it appears to the General Counsel or to the General Counsel's designee that the defendant's conduct giving rise to the cause of action was within the scope of his employment and a good faith exercise of his authority, the Commonwealth, or its insurance company if there is coverage, will undertake the defense with an attorney of its choosing at its expense, and will indemnify the defendant for the expense of a judgment against him or a settlement that is approved by the General Counsel or the General Counsel's designee. The defendant may engage his own attorney but indemnification and reimbursement of attorneys fees by the Commonwealth will be in the sole discretion of the General Counsel.

12. Pursuant to 16 P.S. § 902, the County Solicitor is required to defend suits brought against the County, such as the present action.

13. Pursuant to 16 P.S. § 904, County Solicitors are authorized to appoint outside counsel to perform specified duties.

14. Movant had been provided legal counsel via the Bucks County Solicitor's Office prior to the September, 2008 protective order.

15. Between the date of the protective order and the date of the hearing, no legal representation was offered to Movant, necessitating her obtaining her own counsel.
16. By denying payment to Movant's counsel, the Bucks County Solicitor's Office is failing to meet its obligations to provide representation for Movant.
17. Based on the above factors, an award of attorney's fees in this matter is appropriate.
18. Plaintiff's attorneys and staff have combined to spend a total of 29.50 hours on this matter.
19. The total hours spent on this matter consist of following:
 - file material review;
 - legal research;
 - attendance at court conferences and appearances;
 - discussions regarding payment of Curtin & Heefner's fees;
 - Preparation of this Motion for Attorney's Fees.

See Billing Summary attached as Exhibit "E" and incorporated by reference.

20. Billable time for Plaintiff's counsel consists of the following work:

NAME	POSITION	BILLABLE TIME	BILLABLE RATE	TOTAL
David J. Truelove	Partner	18.60	\$175.00	\$3,255.00
Matthew J. Bass	Associate	10.90	\$175.00	\$1,907.50
Expenses				\$36.30
TOTAL		29.50		\$5,198.90

See Exhibit "E".

21. These hours are reasonable for the tasks involved.
22. Plaintiff's counsel was efficient in the handling of the case.

23. These rates are reasonable within the Philadelphia legal market. See, Affidavit of David J. Truelove, Esquire, Exhibit "F" incorporated by reference.
24. The time spent on tasks and the billable rates charged are based on experience, the geographic area and the legal activity and procedure of the case. Exhibit "F".
25. Plaintiff therefore requests attorney's costs and other fees, as described above.

WHEREFORE, Movant Deena Dean requests that this Court grant its Motion for Attorney's Fees and enter judgment in Plaintiff's favor in the amount of \$5,198.90.

CURTIN & HEEFNER, LLP.

By: /s/ David J. Truelove
David J. Truelove, Esquire
Attorney for Movant
Deena Dean
250 N. Pennsylvania Avenue
Morrisville, PA 19067
(215) 736-2521

DATE: 11/20/09

EXHIBIT “A”



250 N. PENNSYLVANIA AVENUE • BOX 217 • MORRISVILLE, PA 19067
(215) 736.2521 • (800) 773.0680 • FAX (215) 736.3647
WWW.CURTINHEEFNER.COM

JOHN W. DONAGHY
FRANK S. GUARRIERI
ALLAN D. GOULDING, JR.
MAUREEN BURKE CARLTON ▲
KRISTA P. HARPER ▲
FRANCIS X. STECKLAIR *
ROBERT SZWAJKOS
DANIEL P. MAZO ▲
MATTHEW J. BASS ▲
CAROLYN M. MARO ▲
KYONG H. GROWNEY ▲
JOHN QUINN KERRIGAN ▲
DAMARIS L. GARCIA
VINCENT J. MAGYAR, JR. ▲

GILBERT J. GOLDING *
BONNIE S. STEIN ▲+
ROBERT A. BADMAN, JR. ▲
DAVID J. TRUELOVE ▲
ERNEST R. CLOSSER III
JORDAN B. YEAGER
JOHN J. HART
LISA M. PATTERSON ▲
LISA KOEBBE SCHUBEL ▲
JAMES J. ESPOSITO ▲
MICHAEL P. MAGUIRE ▲
MARSHAL H. DAVIS **
SEAN R. SULLIVAN

* LL.M. TAXATION
+ LL.M. TRIAL
▲ ALSO ADMITTED IN NJ

WILLARD S. CURTIN
1932-1996

OF COUNSEL
EDWARD I. DOBIN
DOUGLAS H. RIBLET

WILLIAM F. HEEFNER
1951-2008

February 11, 2009

Glenn Hains, Esquire
Bucks County Solicitor's Office
5th Floor
Bucks County Courthouse
55 E. Court Street
Doylestown, PA 18901

Re: Deena Dean/Federal Court Witness re:Prescod vs. County of Bucks
Our File No.: 7523-41986

Dear Mr. Hains:

Several weeks ago, we sent you a billing statement for services rendered in the above matter from September 28, 2008 through December 24, 2008, in the sum of \$3,132.80 (copy enclosed).

We have not received any response from the county whatsoever regarding the status of the bill. At your convenience, we would appreciate some notification as to where this matter stands, in terms of whether it will be paid, or whether it is disputed. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'David J. Truelove', written over a horizontal line.

David J. Truelove
For Curtin and Heefner, LLP

DJT:jem
Enclosure
cc: Deena Dean (w/o enc.)

499903.1/41986

EXHIBIT “B”



250 N. PENNSYLVANIA AVENUE • BOX 217 • MORRISVILLE, PA 19067
(215) 736.2521 • (800) 773.0680 • FAX (215) 736.3647
WWW.CURTINHEEFNER.COM

JOHN W. DONAGHY
FRANK S. GUARRIERI
ALLAN D. GOULDING, JR.
MAUREEN BURKE CARLTON▲
KRISTA P. HARPER▲
FRANCIS X. STECKLAIR *
ROBERT SZWAJKOS
DANIEL P. MAZO▲
MATTHEW J. BASS▲
CAROLYN M. MARO▲
KYONG H. GROWNEY▲
JOHN QUINN KERRIGAN▲
DAMARIS L. GARCIA
VINCENT J. MAGYAR, JR.▲

GILBERT J. GOLDING *
BONNIE S. STEIN▲+
ROBERT A. BADMAN, JR.▲
DAVID J. TRUELOVE▲
ERNEST R. CLOSSER III
JORDAN B. YEAGER
JOHN J. HART
LISA M. PATTERSON▲
LISA KOEBBE SCHUBEL▲
JAMES J. ESPOSITO▲
MICHAEL P. MAGUIRE▲
MARSHAL H. DAVIS▲*
SEAN R. SULLIVAN

* LL.M. TAXATION
+ LL.M. TRIAL
▲ ALSO ADMITTED IN NJ

WILLARD S. CURTIN
1932-1996

OF COUNSEL
EDWARD I. DOBIN
DOUGLAS H. RIBLET

WILLIAM F. HEEFNER
1951-2008

March 20, 2009

Glenn Hains, Esquire
Bucks County Solicitor's Office, 5th Floor
Bucks County Courthouse
55 E. Court Street
Doylestown, PA 18901

Re: Deena Dean/Federal Court Witness re: Prescod vs. County of Bucks
Our File No.: 7523-41986

Dear Mr. Hains:

We have written you several times regarding this matter and the outstanding bill, but have not received the courtesy of a response, except for an initial one several months ago. I am enclosing copies of our itemized invoices, which total \$3,202.80.

As this matter now stands, I believe we have no option but to seek other recourse, which is unfortunate.

Please advise us in the next two weeks as to whether the County is interested in paying this outstanding bill. Thank you.

Very truly yours,

A handwritten signature in black ink that reads 'David J. Truelove'. The signature is stylized with a large, looped 'D' and 'T'.

David J. Truelove
For Curtin and Heefner, LLP

DJT:jem
Enclosure

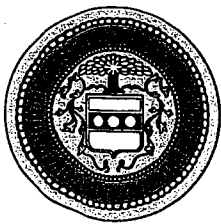
cc: Deena Dean (w/o enc.)
bcc: Diane Marseglia, County Commissioner (w/enc.)

507341.1/41986

EXHIBIT “C”

41786

pod



County of Bucks

OFFICE OF THE SOLICITOR
55 East Court Street, Doylestown, PA 18901
Phone: 215-348-6464 Fax: 215-340-8206
EMAIL: Solicitor@co.bucks.pa.us

County Solicitor
GLENN D. HAINS, ESQ.

Assistant Solicitors
GUY T. MATTHEWS, ESQ.
MICHAEL A. KLIMPL, ESQ.
DONNA L. SNYDER, ESQ.
DONALD E. WILLIAMS, ESQ.
TINA MAZAHARI, ESQ.

April 8, 2009

David J. Truelove, Esquire
Curtin & Heefner
250 N. Pennsylvania Avenue
P.O. Box 217
Morrisville, PA 19067

Re: **Legal Services for Deena Dean**

Dear Mr. Truelove:

Based on my information, payment for legal services in this situation was neither approved, ordered nor authorized.

If you have any information to the contrary, please supply it to me at your earliest convenience.

Very Truly Yours,

Glenn D. Hains
Bucks County Solicitor

GDH/seb

EXHIBIT “D”

C&H
Curtin & Heefner LLP
ATTORNEYS AT LAW

250 N. PENNSYLVANIA AVENUE • BOX 217 • MORRISVILLE, PA 19067
(215) 736.2521 • (800) 773.0680 • FAX (215) 736.3647
WWW.CURTINHEEFNER.COM

JOHN W. DONAGHY
FRANK S. GUARRIERI
ALLAN D. GOULDING, JR.
MAUREEN BURKE CARLTON*
KRISTA P. HARPER*
FRANCIS X. STECKLAIR*
ROBERT SZWAJKOS
DANIEL P. MAZO*
MATTHEW J. BASS*
CAROLYN M. MARO*
KYONG H. GROWNEY*
JOHN QUINN KERRIGAN*
MICHAEL V. TROSO*
SEAN R. SULLIVAN

GILBERT J. GOLDING*
BONNIE S. STEIN**
ROBERT A. BADMAN, JR.*
DAVID J. TRUELOVE*
ERNEST R. CLOSSER III
JORDAN B. YEAGER
JOHN J. HART
LISA M. PATTERSON*
LISA KOEBBE SCHUBEL*
JAMES J. ESPOSITO*
MICHAEL P. MAGUIRE*
MARSHAL H. DAVIS**
DAMARIS L. GARCIA
VINCENT J. MAGYAR*

*LL.M. TAXATION
*LL.M. TRIAL
*ALSO ADMITTED IN NJ

WILLARD S. CURTIN
1932-1996

OF COUNSEL
EDWARD I. DOBIN
DOUGLAS H. RIBLET

WILLIAM F. HEEFNER
1951-2008

April 24, 2009

Glenn Hains, Esquire
Bucks County Solicitor's Office
5th Floor
Bucks County Courthouse
55 E. Court Street
Doylestown, PA 18901

Re: Deena Dean/Federal Court Witness re: Prescod vs. County of Bucks
Our File No.: 7523-41986

Dear Mr. Hains:

This is in response to your recent letter, which was a very belated reply to earlier requests for a payment of outstanding legal fees in this matter.

Enclosed for your review is a September 24, 2008 Order signed by Judge Mary A. McLaughlin on behalf of the Honorable Petrese Tucker, who is the assigned Judge in the underlying matter for which I was retained to represent Ms. Dean.

As you can see, the Order was signed on September 24. I received a phone call from Ms. Dean on Friday, September 26 and that the Order had been signed and that neither plaintiffs' counsel nor defense counsel could contact her, but that she was called to be a witness at the hearing, which was then scheduled for Monday, September 29. The first contact with Ms. Dean regarding this matter was on Friday afternoon, September 26, which is far too late to have any realistic input from any county officials regarding representation, especially since she was being called as a witness, and communication between the Assistant County Solicitor and the undersigned was required in order to facilitate Ms. Dean's testimony.

Ms. Dean was in federal court on both Monday, September 29, and Tuesday, September 30, not by her choice, but as a requirement of the plaintiffs to appear. She was called in her

Glenn Hains, Esquire
April 24, 2009
Our File No. 7523-41986



Page 2

capacity as the Director of the Board of Elections; hence, it was entirely within the scope of her employment responsibilities.

Please be advised that if the legal fees generated for this work, which was essentially ordered by the federal court, are not paid on or before May 15, 2009, we will seek appropriate redress with the court, as well as legal fees for the work to prepare this letter, as well as any fees required to prepare the appropriate motion which, in any reasonable circumstances, undoubtedly will be granted.

Please feel free to contact the undersigned if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "David J. Truelove", written over a horizontal line.

David J. Truelove
For Curtin and Heefner, LLP

DJT:jem
Enclosure
cc: Deena Dean (w/enc.)



C&H
Curtin & Heefner, LLP
ATTORNEYS AT LAW

Glenn Hains, Esquire

April 24, 2009

Our File No. 7523-41986

Page 2

capacity as the Director of the Board of Elections; hence, it was entirely within the scope of her employment responsibilities.

Please be advised that if the legal fees generated for this work, which was essentially ordered by the federal court, are not paid on or before May 15, 2009, we will seek appropriate redress with the court, as well as legal fees for the work to prepare this letter, as well as any fees required to prepare the appropriate motion which, in any reasonable circumstances, undoubtedly will be granted.

Please feel free to contact the undersigned if you have any questions.

Very truly yours,

DAVID J. TRUELOVE

David J. Truelove

For Curtin and Heefner, LLP

DJT:jem

Enclosure

cc: Deena Dean (w/enc.)

bcc: Diane Marseglia, County Commissioner (w/enc.)

EXHIBIT “E”

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10054450
 Invoice Date 11/06/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 10/31/2009

Service Date	Description	Hours
10/30/2009	Telephone Mr. Weinstein (returned call)	0.10
		<hr/> 0.10

For Expenses Advanced

Billing Summary

Total professional services	\$17.50
	<hr/>
Total of new charges for this invoice	\$17.50
Total balance now due this invoice	<hr/> \$17.50

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10053015
 Invoice Date 08/12/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 07/31/2009

Service Date	Description	Hours
07/10/2009	Research standards for award of attorney's fees	2.80
07/13/2009	Draft/ revise fee petition	3.00
		<hr/> 5.80

For Expenses Advanced

Billing Summary

Total professional services	\$1,015.00
	<hr/>
Total of new charges for this invoice	\$1,015.00
Total balance now due this invoice	<hr/> \$1,015.00

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10052339
 Invoice Date 07/07/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 06/30/2009

Service Date	Description	Hours
06/28/2009	Analyze file materials/ research procedures for fee petition	2.50
06/30/2009	Prepare draft fee petition	2.60
		<hr/> 5.10

For Expenses Advanced

Billing Summary

Total professional services	\$892.50
	<hr/>
Total of new charges for this invoice	\$892.50
Total balance now due this invoice	<hr/> \$892.50

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10051339
 Invoice Date 05/11/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 04/30/2009

Service Date	Description	Hours
04/22/2009	File review re court chronology and order re contacting client, prior to retention. Correspondence to county solicitor Hains, with enclosed information for consideration in revising prior opinion	0.40
		<u>0.40</u>

For Expenses Advanced

Faxes	\$1.00
	<u>\$1.00</u>

Billing Summary

Total professional services	\$70.00
Total expenses incurred	\$1.00
	<u>-----</u>
Total of new charges for this invoice	\$71.00
Total balance now due this invoice	<u>\$71.00</u>

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10049706
 Invoice Date 02/09/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 01/31/2009

Service Date	Description	Hours
01/08/2009	Telephone conference with client re case status. Email to client in follow up re other, related issues	0.30
01/14/2009	Review correspondence from Mr. Chernak re representation	0.10
		<hr/> 0.40

For Expenses Advanced

Billing Summary

Total professional services	\$70.00
	<hr/>
Total of new charges for this invoice	\$70.00
Total balance now due this invoice	<hr/> \$70.00

Curtin & Heefner LLP
 250 N. Pennsylvania Avenue
 P.O. Box 217
 Morrisville, PA 19067

Federal Tax I.D. 23-1454105
 Invoice Number 10049240
 Invoice Date 01/09/2009

Glenn Hains, Esquire
 Bucks County Solicitor's Office
 Bucks County Courthouse
 55 E. Court Street, 5th Floor
 Doylestown, PA 18901

Re: 7523 41986 Federal Court Witness re: Prescod vs County of Bucks
 DJT

For Professional services rendered through 12/31/2008

Service Date	Description	Hours
09/28/2008	Telephone conference with Deena Dean re Federal Court hearing preparation and related issues. Telephone conference with attorney Mazaheri re hearing issues. Review pleadings and motions in preparation for same. Review Dean email summarizing events	1.40
09/29/2008	Out of office conference with new client, Deena Dean. Attend court hearing in USDC, Philadelphia. Post-hearing consultation with client	8.00
09/30/2008	Out of office appearance at hearing on behalf of Deena Dean	5.50
10/01/2008	EMail exchanges with client re various hearing issues	0.20
10/03/2008	Telephone conference with client re BOE decision re moving polling place	0.20
10/06/2008	Review further information re "chain of command"	0.20
10/08/2008	Email exchange with client re anonymous harassing letter	0.20
10/23/2008	Telephone conference with Mr. Chernak re status of client as witness re county and protective order. Telephone conference with client re same	0.40
10/27/2008	Email exchange with client re request from 2007 candidate re election results tabulations	0.20
11/18/2008	Email exchange with client re harassment seminar and effect on participation in case. Telephone conference with attorney Weinstein re status of protective order. Telephone conference with client re same	0.50
11/24/2008	Review and respond to email and attachment from attorney Chernak re motion to lift protective order. Forwarded same via email to client	0.30
11/25/2008	EMail exchange with attorneys Weinstein and Chernak re protective order issues	0.20
12/02/2008	Correspondence to Mr. Chernak re possible meeting to discuss representation and protective order issues	0.20

7523 41986

DEAN, DEENA

Invoice# 10049240

Page 2

12/24/2008

Correspondence to county solicitor Glenn Hains re
continuing representation issues

0.20

17.70**For Expenses Advanced**

Parking

\$32.50

Photocopies

\$2.80

\$35.30**Billing Summary**

Total professional services

\$3,097.50

Total expenses incurred

\$35.30

Total of new charges for this invoice

\$3,132.80

Total balance now due this invoice

\$3,132.80

EXHIBIT “F”

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

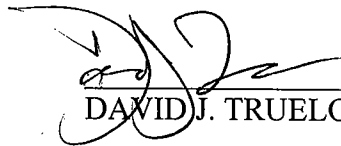
KATHLEEN PRESCOD, et. al.	:	CIVIL ACTION
	:	
	:	
	:	
vs.	:	NO. 08-3778
	:	
BUCKS COUNTY, et. al.	:	
	:	
	:	
	:	

David J. Truelove, Esquire, being duly sworn, states the following:

1. I am an attorney-at-law, licensed in the Commonwealth of Pennsylvania since 1983 and in good standing with the Court.
2. I am a partner in the firm of Curtin & Heefner, LLP, which has experience representing individuals such as Deena Dean – a witness in the above captioned case.
3. I am knowledgeable about the prevailing market rates for legal services in such cases.
4. I am acquainted with the legal invoices prepared by Curtin & Heefner, LLP for legal services of the attorneys who were involved in the representation of Deena Dean in this case.
5. I have reviewed billing rates in numerous cases involving such litigation.
6. The firm rates, as outlined below, are within the prevailing market rates in the community, and as such, are standard and reasonable:

This information is provided to this Court in support of Deena Dean's Motion for Attorney's Fees and is true and correct to the best of my information and belief. This

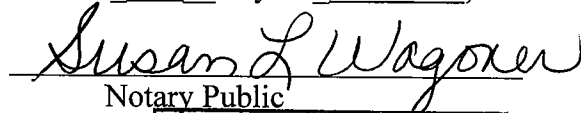
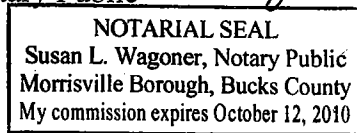
affidavit is made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.



DAVID J. TRUELOVE, ESQUIRE

Sworn to and subscribed before

me this 20th day of November, 2009


Notary Public

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN PRESCOD, et. al.	:	CIVIL ACTION
	:	
	:	
	:	
vs.	:	NO. 08-3778
	:	
BUCKS COUNTY, et al.	:	

CERTIFICATE OF SERVICE

I, David J. Truelove, Esquire, hereby certify that the original of witness Deena Dean's Motion for Attorneys' Fees was filed with the Court via Federal Express and true and correct copies were mailed First Class, United States postage, prepaid on the below date to the following individuals:

Glenn Haines, Esquire
Bucks County Solicitor's Office
5th Floor
Bucks County Courthouse
55 E. Court Street
Doylestown, PA 18901

Frank A. Chernak, Esquire
Ballard Spahr
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599

Marc E. Weinstein, Esquire
One Northbrook Corporate Center
1210 Northbrook Drive, Suite 280
Trevose, PA 19053

By: /s/ David J. Truelove
David J. Truelove, Esquire
Attorney for Witness Deena Dean

Date: November 20, 2009